

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : KOL et al. Art Unit : 2456
Serial No. : 10/750,378 Examiner : Nguyen, Van Kim T.
Filed : 31 December 2003 Conf. No. : 4888
Title : RESTRUCTURING INTEGRATION SYSTEM

MAIL STOP PETITIONS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION UNDER 37 C.F.R. § 1.181

Pursuant to 37 C.F.R. § 1.181, Applicant hereby petitions for revival of U.S. Patent Application with Serial No. 10/750,378 (hereinafter the "subject application").

The entire delay in filing the response to the Non-Final Office Action of 24 November 2009 (hereinafter the "Office Action") from the due date for reply until the filing of this petition was unintentional. Applicants respectfully submit that the Office Action was never received at the correspondence address of record. Pursuant to MPEP 711.03(c)(I)(A), Applicants' attorney (hereinafter the "Practitioner") respectfully submits the following facts in support of this petition:

1. The system used for recording Office Actions received at the correspondence address of record at the USPTO is as follows:
 - a. Office Actions are received at the mailroom at the correspondence address of record.
 - b. All correspondence from the USPTO (including Office Actions) received at the mailroom are forwarded to the Docketing Clerk of the Practitioner.
 - c. The Docketing Clerk enters the receipt of each correspondence from the USPTO (including Office Actions) into a mail log. (*See Exhibit A*).
 - d. The Docketing Clerk enters the mail date of each received Office Action into the Practitioner's computerized docketing system. Information displayed in the system includes, but is not limited to: due date indicator, action due,

action type, client-matter number, status, application number, and application date. (*See Exhibit B*).

2. The Practitioner respectfully submits that the docketing system used and described above is sufficiently reliable.
3. A copy of the records used by the Practitioner where the non-received Office Action would have been entered had it been received is provided. A copy of the mail log for the time period beginning 24 November 2009 and ending 24 February 2010 is provided in Exhibit A.
4. The master docket for the time period beginning 19 February 2010 and ending 26 February 2010, showing all replies docketed for a date three months from the mail date of the non-received Office Action (i.e., 24 February 2010), is provided in Exhibit B. Specifically, pages 9-10 of Exhibit B show all replies docketed for 24 February 2010.
5. The Office Action was not received at the correspondence address of record. A search of the Practitioner's records including the documents provided herein, the physical file of the subject application kept by the Practitioner (i.e., the file jacket), and the contents of the subject application indicates that the Office Action was not received.

CONCLUSION

It is believed that the above-stated facts and attached documents support this Petition to Revive pursuant to 37 C.F.R. § 1.181. As stated above, **the entire delay in filing the required reply** (i.e., the response to the Office Action) **from the due date for the reply until the filing of this petition was unintentional.**

It is not believed that any fees are necessary. In the event that the Patent Office believes that fees are required to be submitted with this petition, please charge any fee(s) to Deposit Account 50-2324. While the Petitioner believes that this Petition is in order, the Director is invited to telephone Applicants' attorney (617-305-2129) to facilitate prosecution of this matter.

Respectfully submitted,

Dated: 14 September 2010

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